


Application Serial No.:09/909,497

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bauerlein, Peter  
Title: NI/METAL HYDRIDE  
SECONDARY ELEMENT  
Appl. No.: 09/909,497  
Appl. Filing Date: 07/20/2001  
Examiner: Dah-Wei D. Yuan  
Art Unit: 1745  
Conf. No.: 4174  
Atty. Dkt. No.: 054821-0852 (formerly  
1201-01)

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV 431583086 US	06/01/04
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper (Printed Name)	
 (Signature)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- ☐ Other \_\_\_\_.

06/03/2004 CCHAU1 00000025 09909497

02 FC:1801

770.00 OP

-1-

b. Enclosed are:

- ☒ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of \_\_\_ listed reference(s).
- ☒ Other: Petition to Revive.

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	12	- 12	= 0	x \$18.00	= \$0.00
Independents	4	- 4	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$0.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$0.00
CLAIMS AND EXTENSION FEE TOTAL:				\$770.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$770.00

- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 6/1/09

By 

FOLEY & LARDNER LLP  
 Customer Number: 26371  
 Telephone: (414) 297-5564  
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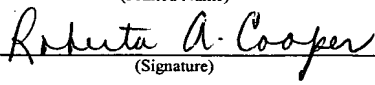
Marcus W. Sprow  
 Attorney for Applicant  
 Registration No. 48,580



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(Printed Name)	
	
(Signature)	

**REPLY AND AMENDMENT**

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Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

This communication is responsive to the Final Office Action dated October 3, 2003, concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 5 of this document.

Please amend the application as follows: